

XYZ CO. SCHEDULE D—MINIMUM DEPOSITS—Continued
[In thousands]

Taxable year	Ordinary income	Net proceeds	Fund interest	Depreciation	Total
1982 to 1984	2,800	74	125	3,000
1985 to 1987	2,850	90	60	3,000
1988 to 1990	2,900	100	3,000
1991 to 1993	3,000	100	3,100
1994 to 1996	3,100	110	3,210
1997 to 1999	3,250	120	3,370
2000	3,200	120	3,320
Total	35,960

¹ Net proceeds from sale of barges XYZ-1 and XYZ-2 for \$1,200,000 each.

² Net proceeds from sale of tug *Hercules*.

[41 FR 4265, Jan. 29, 1976, as amended at 42 FR 43632, Aug. 30, 1977]

EDITORIAL NOTE: At 73 FR 56741, Sept. 30, 2008, appendix II to part 390 was amended; however, the amendment could not be incorporated due to inaccurate amendatory instruction.

APPENDIX III TO PART 390—U.S. DEPARTMENT OF TRANSPORTATION, MARITIME ADMINISTRATION—SAMPLE SEMIANNUAL REPORT

[Illustrative sample of the report required by the Maritime Administration pursuant to 46 CFR part 390 prescribing the capital construction fund reporting requirements to be followed by those companies which are party to a capital construction fund agreement]

EXHIBIT A—XYZ CO., SUMMARY OF CASH, SECURITIES, AND STOCK ON DEPOSIT AND NET ACCRUED DEPOSITS TO AND ACCRUED WITHDRAWALS FROM THE CAPITAL CONSTRUCTION FUND AS OF JUNE 30, 19____

	Thousands
Cash (exhibit A-1 and B)	\$1,025
Securities and stock—adjusted basis (exhibit A-2 and B)	2,560
Fund total for tax purposes on deposit (exhibit C)	3,585
Net accrued deposits and withdrawals (exhibit A-3)	450

EXHIBIT A—XYZ CO., SUMMARY OF CASH, SECURITIES, AND STOCK ON DEPOSIT AND NET ACCRUED DEPOSITS TO AND ACCRUED WITHDRAWALS FROM THE CAPITAL CONSTRUCTION FUND AS OF JUNE 30, 19____—Continued

	Thousands
Fund total (agrees with balance sheet submitted at this date) on deposit for book purposes—June 30, 19____	4,035
Portion of fund total for tax purposes as of June 30, 19____, which represents a "CCF: Security amount" pursuant to an agreement covering the dual use of a capital construction fund	Thousands
Balance brought forward	\$403
Deposits	82
Total "CCF: Security Amount"	485

EXHIBIT A-1—XYZ COMPANY

	Thousands
SUMMARY OF CASH ON DEPOSIT IN CAPITAL CONSTRUCTION FUND AS OF JUNE 30, 19____	
First American Bank, San Francisco, Calif., checking account No. 654-0876-211	\$1,025
Total cash in capital construction fund at June 30, 19____	1,025

EXHIBIT A-2—XYZ CO., SUMMARY OF SECURITIES AND STOCK (ADJUSTED BASIS AND FAIR MARKET VALUE) IN CAPITAL CONSTRUCTION FUND AS OF JUNE 30, 19____ (IN THOUSANDS)

	Adjusted basis	Fair market value
Treasury notes—due July 4, 19____, \$800,000 face value, 1st American Bank, San Francisco, Calif., trust account No. 610-2135	\$760	\$760
Negotiable certificate of deposit—due July 31, 19____, \$500,000 at 8 percent, 1st American Bank, San Francisco, Calif., CD No. 186007	500	500
U.S.A. Motors, Inc.—class A common stock, 5,000 shares, Southern California National Bank, trust account No. 358-21	625	725
Energy Co., Inc.—1st preferred, 4,100 shares, Southern California National Bank, trust account No. 358-21	205	255

EXHIBIT A–2—XYZ Co., SUMMARY OF SECURITIES AND STOCK (ADJUSTED BASIS AND FAIR MARKET VALUE) IN CAPITAL CONSTRUCTION FUND AS OF JUNE 30, 19____ (IN THOUSANDS)—Continued

	Adjusted basis	Fair market value
Boon Corp.—class A common stock, 10,000 shares, Southern California National Bank, San Francisco, Calif., trust account No. 358–21	470	520
Total securities and stock in capital construction fund at June 30, 19____	2,560	2,760

EXHIBIT A–3—XYZ Co., SUMMARY OF NET ACCRUED DEPOSITS AND WITHDRAWALS IN CAPITAL CONSTRUCTION FUND AS OF JUNE 19____

Thousands

Accrued deposits:	
19____ income (6 mos. ended June 30, 19____)	\$500
Depreciation	200
Total	700
Accrued withdrawals: Progress payment made from general fund—hull 210	250
Net accrued deposits and withdrawals in capital construction fund at June 30, 19____	450

EXHIBIT B—XYZ Co., TRANSCRIPT OF TRANSACTIONS IN THE CAPITAL CONSTRUCTION FUND FOR THE 6 MOS. ENDED JUNE 30, 19____

Date	Description of transaction	Cash		Securities and stock (at adjusted basis)		Detail
		Debit	Credit	Debit	Credit	
Jan. 1, 19____	Balances brought forward	\$1,500,000		\$2,000,000		
Jan. 1, 19____	Bond debt payment—SS <i>Smith</i>		\$250,000			
Jan. 3, 19____	Deposit 19____ depreciation	300,000				
Jan. 4, 19____	Purchased Treasury notes—90 days at 6-percent discount..		752,000	752,000		\$800,000 at 6-percent discount.
Feb. 29, 19____	Dividends earned	4,500				\$0.45 per share on 10,000 shares Boon Corp.
Mar. 15, 19____	Progress payment No. 3 hull 210..		172,500			
Apr. 4, 19____	Sale of Treasury notes—cost	752,000			752,000	
	Income from sale	48,000				
Apr. 4, 19____	Purchased Treasury notes 90 days at 5-percent discount.		760,000	760,000		\$800,000 at 5-percent discount.
Apr. 15, 19____	Deposit from 19____ earnings	310,000				
May 15, 19____	Progress payment No. 4—hull 210..		180,000			
June 15, 19____	Sale of stock—cost	200,000			200,000	4,000 shares at \$56.25 per share. Energy Co., Inc.
	Gain on sale of stock	25,000				
	Balances carried forward	1,025,000		2,560,000		

EXHIBIT C—XYZ Co., SUMMARY OF TOTAL TRANSACTION AFFECTING THE TAX ACCOUNT BALANCES IN THE CAPITAL CONSTRUCTION FUND FOR THE 6 MOS. ENDED JUNE 30, 19____

	Ordinary income	Capital gain	Capital	Total
Opening balance, Jan. 1, 19____	\$1,000,000	\$1,000,000	\$1,500,000	\$3,500,000
Deposits, income, transfers in, etc	362,500	25,000	300,000	687,500
Total	1,362,500	1,025,000	1,800,000	4,187,500
Withdrawals, losses, transfers out, etc			602,500	
Balance at June 30, 19____	1,362,500	1,025,000	1,197,500	3,585,000

Maritime Administration, DOT

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EXHIBIT D—XYZ COMPANY

SUMMARY BY VESSEL OF QUALIFIED WITHDRAWALS FROM THE FUND FOR THE SIX MONTHS ENDING JUNE 30, 19____

A. Acquisition or Construction of Vessels

- (1) 80,000 dwt tanker: No qualified withdrawals have been made to date; construction is presently scheduled to commence in mid-1977.
- (2) 130-foot ocean tug hull No. 210:

Balance brought forward	\$700,000
Qualified withdrawals during period	352,500

Total qualified withdrawals to date 1,052,500

130-foot ocean tug hull No. 211: No withdrawals have been made to date; construction is presently scheduled to commence in November 1975

B. Acquisition or Construction of Barges, Containers and Trailers

250-foot tank barge: No qualified withdrawals have been made to date; construction presently scheduled to commence in November 1975.

C. Reconstruction of Vessels

None.

D. Reconstruction of Barges, Containers, and Trailers

None.

E. Payment of Principal on Existing Indebtedness

SS *Smith*—Official No. 236425:

Balance brought forward	\$500,000
Qualified withdrawals during period	250,000

Total qualified withdrawals to date 750,000

APPENDIX IV TO PART 390—SAMPLE ADDENDUM TO MARITIME ADMINISTRATION CAPITAL CONSTRUCTION FUND AGREEMENT

This Agreement, made by the Maritime Administrator, Department of Transportation ("Maritime Administrator") and _____ ("Party"), a citizen of the United States of America, as an Addendum to that certain agreement, Contract No. MA/CCF-

Whereas: 1. On _____, the parties hereto entered into a Capital Construction Fund Agreement ("Agreement") under section 607 of the Merchant Marine Act, 1936, as amended ("Act");

2. The parties hereto desire to modify that Agreement in the manner hereinafter set forth;

3. The parties hereto have agreed to said amendment and desire to incorporate the same into the Agreement.

Now, therefore, in consideration of the premises the Maritime Administrator and the Party agree as follows:

Notwithstanding the provisions of Article 4(A)(2) of the Agreement, the Party may, within sixty (60) days after notice appears in the FEDERAL REGISTER that the Regulations jointly prescribed by the Secretary of the Treasury and the Secretary of Transportation have been finalized, terminate the Agreement, if such Regulations have a substantial effect on the rights or obligations of the Party. Upon termination of the Agreement pursuant to this Addendum No. _____ the provisions of the Internal Revenue Code of 1954, the Act, and the rules and regulations shall apply to all funds remaining in the Fund as if such funds were withdrawn in a non-qualified, withdrawal, as that term is defined in the Act and the rules and regulations.

In witness whereof, the Secretary and the Party have executed this addendum, in quadruplicate, effective as of the date indicated below.

UNITED STATES OF AMERICA,
Secretary of Transportation,
Maritime Administrator,

Department of Transportation

By By.....
(Contracting Officer)

Date Title.....
Attest: Attest:

By By.....
(Secretary)

..... Title.....
(SEAL) (SEAL)

Approved as to form:

.....
(Assistant Chief Counsel
Maritime Administration)

[G.O. 109, Rev., Amdt. 6, 42 FR 43634, Aug. 30, 1977, as amended at 73 FR 56741, Sept. 30, 2008]

EDITORIAL NOTE: At 73 FR 56741, Sept. 30, 2008, appendix IV to part 390 was amended; however, a portion of the amendment could not be incorporated due to inaccurate amendatory instruction.

APPENDIX V TO PART 390—SAMPLE QUALIFIED TRADE AFFIDAVIT

AFFIDAVIT

State of _____
County of _____

I, _____, (Name) being duly sworn, depose and say:

1. That I am the _____ (Title) of _____.
(Name of party)

2. That I am fully acquainted with and have knowledge of the operations of all qualified agreement vessels owned or operated by my company and identified in Capital Construction Fund Agreement, MA/CCF _____.
_____.